

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**CARL DANIEL WHITE,**  
**Plaintiff,**

**v.**

**ROY CALLENDER AND TOMMY  
EBERHART,**  
**Defendants.**

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**Civil Action No. 3:11-CV-2002-M**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney. The District Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

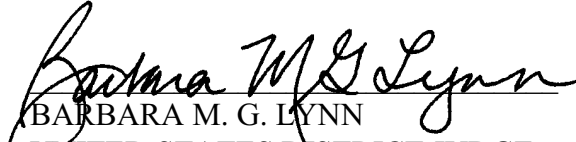
Defendants' Motion to Dismiss (doc. 12) is **DENIED**. Defendants' alternative Motion for More Definite Statement (doc. 13) is **GRANTED in part and DENIED in part**. Within thirty days of the date of this Order, Plaintiff shall file a **Rule 7(a) Reply** that states the facts upon which he relies to show that Defendants are not entitled to qualified immunity. The Motion for More Definite Statement is **DENIED** in all other particulars.

Defendants' Motion to Stay Discovery and Disclosure (doc. 15) is **DENIED in part and GRANTED in part**. The Motion to Stay Discovery is **denied** to the extent that Defendants shall disclose the names and statements of any witnesses to the incident (including incident reports) and any video recording of the incident in question. The Motion is **granted** to the extent that all other

discovery should be stayed. All relief requested but not specifically granted is **DENIED**.

SO ORDERED

DATED: December 14, 2011.

  
BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS